OFFICE OF THE CLERK

## MARCIA M. WALDRON

## United States Court of Appeals

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CLERK

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

March 22, 2006

Peter T. Dalleo, Clerk United States District Court J. Caleb Boggs Federal Building Lockbox 18 844 King Street Wilmington, DE 19801-3570

In Re: BRAC Group Inc.
D. Del. No. 05-cv-0319-KAJ

Dear Mr. Dalleo:

Pursuant to Rule 4(d), <u>Federal Rules of Appellate Procedure</u>, and Rule 3.4, <u>Third Circuit Local Appellate Rules</u>, we are forwarding the attached notice of appeal which was filed with this office in error. <u>See</u> Rule 3(a)(1), <u>Federal Rules of Appellate</u> <u>Procedure</u> and Rule 3.4, <u>Third Circuit Local Appellate Rules</u>. **The notice was postmarked March 16, 2006 and should be docketed as of that date.** 

This document is being forwarded solely to protect the litigant's right to appeal as required by the <u>Federal Rules of Appellate Procedure</u> and Rule 3.4, <u>Third Circuit Local Appellate Rules</u>. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), <u>Federal Rules of Appellate Procedure</u>, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Bradford A. Baldus
Bradford A. Baldus
Senior Legal Advisor to the Clerk

Enclosure

cc: Michael Belgrave (w/out enclosure)